

Serial No. 09/919,678

Attorney Docket No. LE 00/032 (7244\*111)

68. The color reversal process according to claim 51, wherein the solution contains at least one iron complex of propylenediaminetetraacetic acid.
69. The color reversal process according to claim 51, wherein the solution contains substantially no further iron aminopolycarboxylic acid complex.
70. The color reversal process according to claim 51, wherein the solution contains no ammonium ions. --

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**REMARKS**

Applicants respectfully request reconsideration in view of the amendment and following remains. Claims 51 to 58 are based on pending claims 23 to 30, but have been amended to point out the main issue of the present invention. As disclosed e.g. on page 1, lines 3-6; page 1, line 31 to page 2, line 7; page 2, lines 25-28, page 7, lines 29-30; and the Examples, the present invention is directed to a color reversal process and to completely bleach the large amount of metallic silver ( $\text{Ag}^0$ ) that is produced by the two development steps necessary for reversal processing instead of only one development process used for negative processing. New claim 59 is based on page 3, lines 28-31 of the present invention and claims 60 and 61 on page 4, lines 22-23; new claims 62 and 63 are based on page 5, lines 4-7; new claims 64-66 are based on page 5, lines 9-11; and new claims 67-70 are based on pending claims 47 to 50. Although it is not disclosed literally that the silver amount according to present claims 64-66 is meant per  $\text{m}^2$  of the materials, this is evident from the disclosure that the silver content of the materials (6  $\text{g}/\text{m}^2$ , 7.5  $\text{g}/\text{m}^2$  according to claims 62, 63) and the percentage of silver to be bleached (65 mol-%, 80 mol-%).

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%, 90 mol-%):  $6 \text{ g Ag/m}^2 \cdot 65 \text{ mol-\% to be bleached} = 3.9 \text{ g Ag/m}^2 \text{ to be bleached}$ ;  $7.5 \text{ g Ag/m}^2 \cdot 80 \text{ mol-\% to be bleached} = 6.0 \text{ g Ag/m}^2 \text{ to be bleached}$ .

The applicants have added twenty claims and cancelled twenty claims. No additional fee is required for the claims.

Claims 37 and 47-50 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kuse U.S. Patent No. 5,453,348 (hereinafter referred to as "Kuse"), Rogers U.S. Patent No. 5,389,501 ("Rogers"), Ueda U.S. Patent No. 5,580,705 ("Ueda"), Inaba U.S. Patent No. 5,885,757 ("Inaba") and McGuckin U.S. Patent No. 6,022,674 ("McGuckin"). The applicants respectfully traverse these rejections.

None of the cited patents teaches to use Fe-ADA or Fe-PDTA in an amount as low as claimed by the present invention in the process of the present invention. Therefore, the applicants' claimed invention is new and the § 102 rejection should be withdrawn.

Although color reversal materials are disclosed in Kuse and Yamashita, none of the cited documents demonstrates the color reversal processing as presently claimed.

The disclosure of Kuse is clearly directed to a color negative process. This is evident *e.g.* from column 3, lines 8 - 15, teaching to color develop the exposed material and immediately thereafter bleaching it. This does neither include the first development step necessary for reversal processing nor the conditioning step (see page 8, lines 10 - 11 and page 14 of the present application) commonly inserted between the second (color) development and the bleach bath of a color reversal process.

In addition, none of the procedures listed on column 40, lines 51 to 67 includes a second development.

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Kuse discloses on column 87, lines 30 to 32 that besides color negative films and color paper also color reversal films and paper and (any) other light-sensitive materials can be used for their invention.

This is clear evidence that the material is of no meaning for the invention of Kuse. When regarding Kuse as a whole, this means that color reversal materials or even any other light-sensitive materials can be processed in the color negative process of Kuse, what is not unusual, if special effects are intended. This view is further supported by the Examples of Kuse that all demonstrate the use of a color negative process (column 103, line 35 to column 104, line 37; column 108, lines 33 to 60; only a single development step). Therefore a person skilled in the art would have learned from Kuse that the invention is only directed to a color negative process and knowing the principal difference in reduced silver to be bleached for color negative and color reversal processing, would not have taken the teaching of Kuse into regard when trying to improve color reversal processing.

Even when considering Kuse as a whole, a person of ordinary skill in the art would have learned that negative processing of color negative films (column 108, lines 25 - 26) according to the invention of Kuse only results in an acceptable yellow stain and residual silver, when replacing the common fixing agent thiosulphate by thiocyanate or iodide or by adding various additives.

According to Examples 1-3 to 1-5, which are closest to the present invention, the bleach bath comprises high amounts of ammonium salts, 0.22 mol/l Fe-PDTA and 200 ml color developer/l (see col. 105). Depending on the fixing agent, the negative processing results in 1.3 mg Ag/ 100 cm<sup>2</sup> to 0.8 mg Ag/100 cm<sup>2</sup>, which the applicants have informed the undersigned

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calculates as 0.20 g Ag/m<sup>2</sup> to 0.13 g Ag/m<sup>2</sup> according to the present application; see page 2, lines 10 to 12). In the following, the Ag amounts are given according to the definition of the present application.

The residual silver of 0.20 g Ag/m<sup>2</sup> to 0.13 g Ag/m<sup>2</sup> is acceptable for the color negative processing of color negative films as demonstrated by Kuse but needs further improvements for color reversal processing, because materials processed that way commonly are directly viewed and cannot be corrected by the printing process.

Therefore a person of ordinary skill in the art would have learned from Kuse that 0.22 mol/l Fe-PDTA are not sufficient to bleach the silver generated after the one development step of the color negative processing and would be led away from the present invention to use low amounts of said bleaching agent for the color reversal process.

The same arguments given for Kuse, also hold for Yamashita. In the background of the invention Yamashita list the processing solutions of common color negative processes, but do not list the first (black and white) development. There is no teaching given with regard to the reversal processing and the examples are all run using a color negative process.

Therefore a person skilled in the art would have learned from Yamashita that the invention is only directed to a color negative process that might be applied to color photographic light-sensitive materials, color reversal films being included.

Again, knowing the principal difference between color negative and color reversal processing, the person of ordinary skill in the art would not have taken the teaching of Yamashita into regard when trying to improve color reversal processing.

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Even when looking at Yamashita (Examples. 1, 1-1 to 1-5) a person of ordinary skill in the art would have learned that negative processing of color paper (only 0.85 g Ag/m<sup>2</sup> given as AgNO<sub>3</sub>) results in 0.38 g Ag/m<sup>2</sup> to 0.50 g Ag/m<sup>2</sup> of residual silver, what is not acceptable for a reversal processing. Therefore a person skilled in the art would have learned from Yamashita to use much higher amounts of the bleaching agent and would have been led away from the present invention.

Therefore applicants' invention is not rendered obvious over the prior art and the § 103 rejections should be withdrawn.

In the Final Office Action at the bottom of page 5, in paragraph no. 4, the Examiner has asked for a test result of claimed bleaching agent used in an amount of 0.045 mol/l and 0.25 mol/l.

The results for 0.045 mol/l are given in table 1, runs 11, 20 and 21 (0.045 mol/l PDTA; 0.045 mol/l ADA), showing the most surprising effect of the present invention, that a very good bleaching efficiency can be achieved with such a low amount of complexant. The upper limit of the present claims is demonstrated in Table 1, run 8 (0.20 mol/l PDTA) and Table 2, run 6 (0.25 mol/l ADA/PDTA).

Run 15 in table 1 (0.25 mol/l ADA) demonstrates a very low residual silver and therefore one of the objects of the present invention, but is marked as comparison because of an unsatisfactory yellow stain. For the above reasons, these rejections should be withdrawn.

No additional fees are due. If there are any additional fees due in connection with the filing of this response, including any fees required for an additional extension of time under 37 CFR 1.136, such an extension is requested and the Commissioner is authorized to charge or

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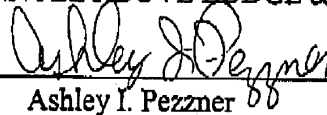
credit any overpayment to Deposit Account No. 03-2775.

For the reasons set forth above, Applicants believe that the claims are patentable over the references cited and applied by the Examiner and a prompt and favorable action is solicited. The applicants believe that these claims are in condition for allowance, however, if the Examiner disagrees, the applicants respectfully request that the Examiner telephone the undersigned at (302) 888-6270.

Respectfully submitted,

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